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**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

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Mr. Kevin J. Martin  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Room 8-B201  
Washington, D.C. 20554

Dear Chairman Martin:

I am writing with regard to new auction rules for the D Block spectrum. The failure of the D Block auction in January 2008 highlights the challenges in developing auction rules that attract commercial entities capable of successfully deploying the desired nationwide interoperable network. I commend your decision to reconsider the auction rules, ultimately re-auctioning the D Block spectrum, and urge you to adopt rules that allow for regional or service area-size licenses within that spectrum.

As a long-time supporter of better telecommunications between public safety workers and those immediately impacted in an emergency or natural disaster, I understand how important it is to have a nationwide interoperable network that has access to the 700 MHz D Block commercial spectrum during emergencies which would facilitate this type of connectivity. The ultimate definition of success in this endeavor is a well-thought out plan that will guarantee public safety agencies and workers can utilize a robust and functional network. This network must support rapid and interoperable buildouts and be tailored to the unique public safety needs of various areas of the country.

The adoption of auction rules which offer regional or service area-size D Block licenses will attract those companies most interested and capable of producing such interoperability. The network can be built not only by companies that have large-scale infrastructure or want to pursue development of a broader network, but also by companies that have existing infrastructure on a smaller scale and want to invest in quality connections to proximate providers, as well as a combination of the two. The rules ultimately adopted should not preclude bidding by any one size of company because attracting bids from smaller companies with an existing local presence and more penetrative buildout will help ensure that subsequent deployment is rapid and comprehensive. An increased number of bids from companies of all sizes also should help maximize auction proceeds to the government. Truly, the adopted rules must allow the same flexibility in bidding that we expect in development and operation.

The need for a nationwide interoperable public safety network became especially clear during the intense flash flooding Wisconsin suffered this past June. Further, the recent landfall of Hurricane Gustav and anniversary of Hurricane Katrina illuminate the scope and capabilities such a network would necessarily have, including the need for a single standard of interoperability prior to commencing the auction.

I appreciate your consideration of my comments, and look forward to hearing from you as the Commission adopts rules which will help place the best communications technology in the hands of our public safety workers and agencies. If you have any questions, please do not hesitate to contact me or Kelzie Beebe of my staff at 202-225-2906.

Sincerely,

Tammy Baldwin  
Member of Congress

Copied to:

The Honorable Jonathan S. Adelstein, Commissioner  
Federal Communications Commission

The Honorable Michael J. Copps, Commissioner  
Federal Communications Commission

The Honorable Deborah Taylor Tate, Commissioner  
Federal Communications Commission

The Honorable Robert M. McDowell, Commissioner  
Federal Communications Commission